

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Katsumi SHIBAYAMA)	Examiner: Anh D. Mai
)	
Application No.: 10/550,689)	Group Art Unit: 2814
)	
Filed: July 21, 2006)	Confirmation No.: 4347
)	
For: PHOTODIODE ARRAY AND)	
PRODUCTION METHOD THEREOF,)	
AND RADIATION DETECTOR)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In an Office Action dated April 9, 2009, the period for response to which extends to June 9, 2009 by the concurrently-filed petition for a one-month extension of time and corresponding fee payment, the Examiner required election under 35 U.S.C. §§ 121 and 372 between the claims of Group I (claims 1-6 and 12-14) allegedly drawn to “semiconductor device” and Group II (claims 7-11) allegedly drawn to “method of making.” Applicant hereby elects Group I (claims 1-6 and 12-14) for examination.

Also in the Election/Restriction Requirement, the Examiner required election under 35 U.S.C. § 121 and 372 between the claims of Species A (Fig. 1) and Species B (Fig. 15). Applicant hereby elects Species A (Fig. 1) for examination. In addition, Applicant respectfully submits that claims 1-5, and 12-13 read on Species A. Applicant respectfully traverses the

Examiner's assertion that no claims are generic. Instead, Applicant respectfully submits that claims 1, 4, 5, 12 and 13 are generic to both Species A and B.

Applicant respectfully requests formal examination of this application.

Applicant respectfully submits that no fee is due in connection with the filing of this response. However, if there are any fees due in connection with the filing of this response, **except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any such fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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